

Defendant.

**DEFENDANT VICTORY PHONES LLC'S MOTION TO DISMISS PLAINTIFF  
ANDREW PERRONG'S SECOND AMENDED CLASS ACTION COMPLAINT**

Defendant Victory Phones LLC, by and through its attorneys, respectfully moves to dismiss the Second Amended Class Action Complaint filed against it by Plaintiff Andrew Perrong under Federal Rule of Civil Procedure 12(b)(1) due to Plaintiff's lack of standing and Federal Rule of Civil Procedure 12(b)(1) for Plaintiff's failure to state a claim on which relief may be granted.

This motion is supported by an accompanying brief.

Dated: March 5, 2021

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*Pro Hac Vice*  
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